

MemorandumDate January 30, 2007
Telephone: (916) 654-4679To: Commissioner John Geesman, Presiding Member
Commissioner Jeffrey Byron, Associate MemberFrom: California Energy Commission – John S. Kessler *JSK*
1516 Ninth Street Project Manager
Sacramento, CA 95814-5512

DOCKET	
06-AFC-7	
DATE	JAN 30 2007
RECD.	JAN 30 2007

Subject: **HUMBOLDT BAY REPOWERING PROJECT (06-AFC-7) STATUS REPORT 1**

Pursuant to the Committee Scheduling Order dated January 3, 2007, the following is staffs Status Report 1 for the proposed Humboldt Bay Repowering Project (HBRP).

Background & Milestones to Date:

As background, staff filed its Issue Identification Report on November 30, 2006, and identified various unresolved issues and the need for additional information, particularly in the area of air quality. Since then, staff has been coordinating a number of activities to facilitate the discovery phase of the Application for Certification (AFC) process as follows:

- December 8, 2006 - Staff provided the applicant Data Request Set #1 requesting additional information for the following technical areas: air quality, biological resources, cultural resources, geology and paleontology, hazardous materials, land use, noise and vibration, public health, socioeconomics, soil and water resources, transmission system engineering, waste management, and worker safety and fire protection.
- December 18, 2006 - Following the Site Visit and Informational Hearing at the proposed HBRP site, staff and the applicant conducted a Data Request Workshop to respond to the applicant's questions regarding staffs Data Requests – Set #1. The discussion focused on the areas of air quality, hazardous materials, soil & water, and visual resources.
- January 11, 2007 - Staff provided the applicant Data Request Set #2 requesting additional information in the technical areas of alternatives, hazardous materials, traffic and transportation, visual resources and cumulative impacts. Staff expects to receive the applicant's responses to these data requests by February 12, 2007.
- January 12, 2007– The applicant filed its Responses to Data Request - Set #1.
- February 1, 2007- Staff and the applicant have scheduled a Data Response and Issue Resolution Workshop for 2:00 PM at the HBRP site, which will focus on the applicant's data responses and work towards resolving project issues.

Other Coordination Activities

- Air Quality-- At this time, the North Coast Unified Air Quality Management District (NCUAQMD) and California Air Resources Board, which is providing technical support

to NCUAQMD, are progressing in their analysis of air quality impacts, and are advising staff that they believe they will issue the Preliminary Determination of Compliance (PDOC) around March 8, 2007. Both agencies will be participating in the Data Responsellssue Resolution Workshop on February 1, 2007.

- California Coastal Commission 30413(d) Report – The Coastal Commission is advising staff that they are on-schedule to publish their report during mid to late April for consideration at their May 2007 Coastal Commission meeting. This schedule will accomplish Coastal Commission review of the proposed HBRP prior to publishing the Commission's Final Staff Assessment (currently scheduled for June 2007), consistent with the Energy Commission's/Coastal Commission's Memorandum of Agreement for coordinating AFC proceedings. The Coastal Commission will also be participating in the Data Responsellssue Resolution Workshop, with focus on confirming the delineation of wetlands and the appropriate mitigation factor for replacement of permanently lost wetlands.

Schedule

At this time, staff believes it can maintain the schedule as issued by the Committee in their order dated January 3, 2007. This is predicated on the applicant filing complete data responses to Data Request Set #2 by February 12, 2007, and receipt of preliminary comments or determinations from all local, state, and federal agencies, including the PDOC from NCUAQMD by March 8, 2007. The Committee's schedule is reiterated herein as follows:

Committee Schedule for the Humboldt Bay Repowering Project

DATE	EVENT
January 12, 2007	Applicant provides data responses
January 24, 2007	Data response and issue resolution workshop
January 30, 2007	Parties file Status Report 1
March 8, 2007 ¹	Agency draft determinations and NCUAQMD PDOC
March 14, 2007	Parties file Status Report 2
April 6, 2007 ²	Staff files Preliminary Staff Assessment (PSA)
May 2, 2007	Staff conducts PSA workshop
May 7, 2007 ³	Agency final determinations and NCUAQMD FDOC
May 11, 2007	Parties file Status Report 3
June 6, 2007 ⁴	Staff files FSA

Proof of Service List
Dockets

¹ Actual date of publication designated "N"

² To be issued on N+30 days

³ Actual date of publication designated "M"

⁴ To be issued on M+30 days

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE
STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION
FOR THE **HUMBOLDT** POWER
PLANT PROJECT

Docket No. 06-AFC-7
PROOF OF SERVICE

INSTRUCTIONS: All parties shall **1)** send an original signed document plus 12 copies OR **2)** mail one original signed copy AND e-mail the document to the web address below, **AND 3)** all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 06-AFC-07
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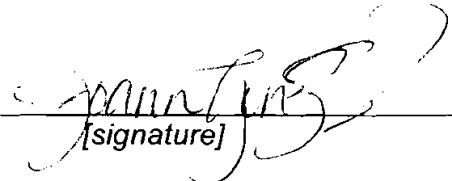
DECLARATION OF SERVICE

I, Joann Gonzales, declare that on January 30, 2007, I deposited copies of the attached Humboldt Bay Re-powering Project Status Report 1, in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.


[signature]